



STATE OF LOUISIANA  
DEPARTMENT OF STATE CIVIL SERVICE  
**LOUISIANA BOARD OF ETHICS**  
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May 20, 2013

Virginia G. Benoist  
P.O. Box 937  
Vidalia, LA 71373

**Re: Ethics Board Docket No. 2013-367**

Dear Ms. Benoist:

The Louisiana Board of Ethics, at its May 17, 2013 meeting, considered your request for an advisory opinion concerning post-employment restrictions that would apply to you as a former Assistant Attorney General at the Attorney General's Office with the Louisiana Department of Justice. You stated that before you resigned on June 29, 2012, you were assigned as an interagency transfer Assistant Attorney General to the Commissioner of Insurance and the Department of Insurance and provided legal services in areas which included civil service, management and finance, disasters and emergency preparedness, health and licensure regulation, enforcement, compliance and fraud, information technology, public records and records management, and the drafting of legislation. You also stated that your salary was paid by the Attorney General's Office, and the Department of Insurance reimbursed the Attorney General's Office for your legal services. Finally, you stated that you during your employment with the Attorney General's Office you were not considered to be an agency head.

With respect to each specific question, the Board concluded and instructed me to inform you the following:

1) Is it permissible for me to contract with my former employer, client or other agencies?

The Code of Governmental Ethics would prohibit you from contracting with your former agency, the Attorney General's Office, and assisting in matters in which you previously participated involving the Attorney General's Office. However, the Code would not prohibit you from contracting with a client or another agency unless you would be rendering a service involving a matter in which you previously participated while employed with the Attorney General's Office. Section 1121B(1) of the Code of Governmental Ethics states that no former public employee shall, for a period of two years following the termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed. Section 1102 (16) defines "person" as an individual or legal entity other than a governmental entity, or an agency thereof. Section 1121B(1) goes on to prohibit a former public employee, for a period of two years following the termination of his public employment, from rendering any service which such former public employee had rendered to the agency during the term of his

employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the agency with which he was formerly employed.

2) Is it permissible for me to contract with municipalities and other branches of government?

The Code of Governmental Ethics would not prohibit you from contracting with municipalities or other branches of government provided that you do not render a service involving a matter in which you previously participated while employed with the Attorney General's Office.

3) Is it permissible for me to contract with my former employer, client or other agencies if I first return to state service as an unclassified or classified employee for the short-term with an agency for which I have never been employed?

The Board declines to render an opinion based on the limited information provided. If you become employed again with a state agency and can provide specific information regarding that employment, it is the recommendation of the Board that you request another advisory opinion regarding your post-employment restrictions at that time.

4) Is it permissible for me to contract with municipalities and other branches of government if I first return to state service as an unclassified or classified employee for the short-term?

The Board declines to render an opinion based on the limited information provided. If you become employed again with a state agency and can provide specific information regarding that employment, it is the recommendation of the Board that you request another advisory opinion regarding your post-employment restrictions at that time.

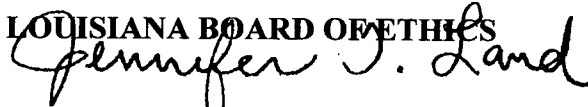
5) Is it permissible to contract with one state agency while employed part-time with another state agency?

The Board declines to render an opinion based on the limited information provided. If you become employed again with a state agency and can provide specific information regarding that employment, it is the recommendation of the Board that you request another advisory opinion regarding your post-employment restrictions at that time.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS



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Jennifer T. Land  
For the Board